

Denny Rehberg
State of Montana

Appropriations Committee
Labor, Health and Human
Services, and Education
Energy and Water Development
Foreign Operations

Congress of the United States
House of Representatives
Washington, DC 20515

January 24, 2011

Mr. Jacob J. Lew
Director
The Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Director Lew:

I write to you today regarding the emergency request from the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE) that was published in the Federal Register on Friday December 17th, 2010. As you know, this request asks the Office of Management and Budget (OMB) to approve an information collection that would require federally licensed firearm dealers to report the sales of two or more semiautomatic rifles to the same customer within a five-day period.

The BATFE had initially asked your office to expedite this request, so that the proposed requirement could take effect as early as January 5, 2011. While I am grateful that your office has yet to approve this request, I remain concerned that enacting this change via an obscure rulemaking procedure, rather than through the legislative process, will set a dangerous precedent.

Implementing the BATFE's proposal would subject firearms dealers and their customers to new, onerous requirements that would inevitably track and catalogue the purchases of law-abiding gun owners. And while Congress has authorized multiple sales reporting for handguns, we have never extended this authority to other types of firearms.

If the BATFE believes that this new requirement is truly necessary for the protection of American citizens living along the Mexican border, they should bring their concerns to the Congress and ask us to make these changes through the same legislative process that was used to implement multiple sales reporting for handguns.

I am strongly opposed to the BATFE's efforts to regulate the sale of firearms through emergency notices and paperwork changes that have not been properly vetted by Congress and the affected public. I ask your office to deny the BATFE's request because I strongly believe that expanding this regulatory power by executive decree would be an end run around Congress.

Sincerely,



Denny Rehberg
Member of Congress

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